

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

IN RE: AUTOMOTIVE PARTS ANTITRUST  
LITIGATION

Master File No. 12-md-02311  
Honorable Marianne O. Battani  
Special Master Gene J. Esshaki

In re: ALTERNATORS  
STARTERS

2:12-md-02311-MOB-MKM  
2:15-cv-00707-MOB-MKM  
2:15-cv-01107-MOB-MKM

THIS RELATES TO:  
TRUCK AND EQUIPMENT DEALER  
CLASS ACTIONS

**ORDER AND STIPULATION WITHDRAWING INDIRECT PURCHASER  
PLAINTIFFS' MOTION FOR AN ORDER DIRECTING DEFENDANTS TO PAY HALF  
OF THE PARTIES' COSTS RELATING TO OEM DISCOVERY AS TO DEFENDANTS  
HITACHI, LTD., HITACHI AUTOMOTIVE SYSTEMS, LTD., AND HITACHI  
AUTOMOTIVE SYSTEMS AMERICAS, INC (ECF NO. 1884)**

WHEREAS, on May 1, 2018 the Truck and Equipment Dealer Plaintiffs (“TEDPs”), along with the Automobile Dealership Plaintiffs (“ADPs”) and End-Payor Plaintiffs (“EPPs”) (together, the “IPPs”) filed a Motion For an Order Directing Defendants to Pay Half of the Parties’ Costs Relating to OEM Discovery (the “Cost Sharing Motion”). Case No. 2:12-md-02311, ECF No. 1884 (filed May 1, 2018);

WHEREAS, Hitachi, Ltd., Hitachi Automotive Systems, Ltd., and Hitachi Automotive Systems Americas, Inc. (collectively “HIAMS”) were named as defendants subject to the Cost Sharing Motion. Cost Sharing Motion, ECF No. 1884, at 2 note 2;

WHEREAS, HIAMS has previously settled all of the cases brought against it by the EPPs and ADPs<sup>1</sup>;

WHEREAS, the only remaining litigation in the MDL against HIAMS by an IPP are the TEDPs' *Alternators* and *Starters* cases. Case No. 2:15-cv-00707 (*Alternators*); Case No. 2:15-cv-01107 (*Starters*);

WHEREAS, in the Cost Sharing Motion, the only OEM discovery costs for which cost sharing is sought from HIAMS pertains to the TEDP *Alternators* and *Starters* cases; and

WHEREAS, the TEDPs have agreed not to seek OEM discovery costs from HIAMS and to withdraw the Cost Sharing Motion with respect to HIAMS;

IT IS THEREFORE STIPULATED AND AGREED:

The TEDPs hereby WITHDRAW the Cost Sharing Motion with respect to HIAMS. Accordingly, HIAMS will no longer be included as a defendant subject to the Cost Sharing Motion, and TEDPs are no longer seeking any relief against HIAMS in the Cost Sharing Motion.

**IT IS SO ORDERED.**

May 25, 2018

s/Gene J. Esshaki  
Gene J. Esshaki, Special Master

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<sup>1</sup> HIAMS settled with the EPPs and ADPs, resolving claims related to Alternators, Starters, Ignition Coils, Motor Generators, Inverters, Air Flow Meters, Fuel Injection Systems, Valve Timing Control Devices, and Electronic Throttle Bodies in March 2015 and has been dismissed from those EPP and ADP cases. *See, e.g.*, Case No. 2:13-cv-00702, ECF No. 57 (filed Dec. 7, 2015) (ADP Final Judgement); Case No. 2:13-cv-00703, ECF No. 113 (filed Aug. 12, 2016) (EPP Final Judgement). In the Shock Absorbers case, HIAMS settled with the EPPs and the ADPs in September and October 2017, respectively, and the settlements have received preliminary approval from the Court. *See* Case No. 2:15-cv-03303, ECF No. 41 (filed Nov. 30, 2017) (Order Granting Preliminary Approval of EPP Settlement); Case No. 2:16-cv-03302, ECF No. 30 (filed Jan. 25, 2018) (Order Granting Preliminary Approval of ADP Settlement).

SO STIPULATED:

Dated: May 14, 2018

/s/ J. Manly Parks

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Dated: May 14, 2018

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